IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE**

**and**
**THE HON'BLE SRI JUSTICE R.SUBHASH REDDY**

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**WRIT APPEAL NO : 1696 of 2005**

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 02/09/2005 in WP NO : 17335 OF 2005 on the file of the High Court.)

**Between**:

N. Ganesh S/o. Ramaiah
B. Pochampally Gram Panchayat,

R/o. B. Pochampally Village & Mandal,
Nalgonda District,

**..... APPELLANT**

**AND**

1 District Collector, Nalgonda, and 4 others

**.....RESPONDENTS**

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**JUDGMENT: (Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)**

The writ petition was filed seeking a writ of mandamus declaring the proceedings of the District Collector, Nalgonda in Proc.No.389/04-A1/Pts, dated 16-

06-2005 as illegal, arbitrary and malafide.

By those proceedings, the writ petitioner-appellant was removed from the post of Sarpanch. He has already filed an appeal, which is pending before the appellate authority. Two remedies cannot be pursued for the same cause of action in two different forums. Since the appeal is pending before the appellate authority, the learned single Judge was right in dismissing the writ petition.

The Writ Appeal is misconceived, and is, accordingly, dismissed. No costs.

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**(Bilal Nazki, A.C.J)**

**14th September, 2005**

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**(R.Subhash Reddy, J)**

**LUR**